

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 21-cr-20354

Hon. Paul D. Borman

EDDIE REID (D-5),

Defendant.

_____ /

REQUESTS AND NOTICES
IN COMPLIANCE WITH STANDING ORDER
FOR DISCOVERY AND INSPECTION

In compliance with the Standing Order for Discovery and Inspection and Fixing Motion Cut-Off Date in Criminal Cases, No. 03-AO-027 (Standing Order), EDDIE REID, by and through his attorney, JAMES C. THOMAS, of James C. Thomas, P.C., hereby provides the following requests and notices to the Government:

1. It is hereby requested that the Government provide defense counsel and, where applicable, to provide copies or an opportunity to make copies, with the information described in the Standing Order, and the Federal Rules of Criminal Procedure (FRCrP) 16(a)(1), including, but not limit to:

(a) Any information and documents within the meaning of Administrative

Order No. 03-AO-027, dated September 30, 2003, the AStanding Order,@ paragraph 1(a), and/or Rule 16(a)(1) of the Federal Rules of Criminal Procedure.

(b) Any exculpatory evidence within the meaning of the AStanding Order,@ paragraph 1(b), and/or *Brady v Maryland*, 373 U.S. 83 (1963) and *United States v Agurs*, 427 U.S. 97 (1976), *Kyles v Whitley*, 514 U.S. 419 (1995), including but not limited to:

- i. All consideration or promises of consideration given to or on behalf of a witness or expected or hoped for by a witness.
- ii. All threats or coercion made or directed against a witness or persons of concern to the witness, including but not limited to threats of criminal prosecution or investigation, or threats of civil or tax litigation or investigation.
- iii. All records or information revealing prior felony convictions, misdemeanor convictions or juvenile adjudications of the Defendant and any witness the Government intends to call at trial.
- iv. The existence and identification of each occasion known to the government on which any witness the government intends to call at trial may have testified falsely under oath, or submitted false affidavits in connection with proceedings of any kind, including but not limited to

forfeiture proceedings, or each occasion known to the government on which any witness the government intends to call at trial may have made inconsistent statements in connection with this case, and a summary of such inconsistent statements.

v. Any and all consideration, whether financial or otherwise, offered, received or promised to any witness.

(c) Any document which will be used to refresh the memory of a witness within the meaning of this Honorable Court's AStanding Order,@ paragraph 8, and/or Rule 612 of the Federal Rules of Evidence.

(d) Any statement of witnesses within the meaning of 18 USC 3500(e).

(e) Notice of any "other acts" evidence which the Government intends to introduce at trial, pursuant to FRE 404(b)(2).

2. Pursuant to Rule 16(a)(1)(A), Defendant requests disclosure of the substance of any relevant oral statement made by Defendant, either before or after arrest, in response to interrogation by a person Defendant who was a government agent or investigator as well as whether or if the government intends to use the statement at trial.

3. Pursuant to Rule 16(a)(1)(B), Defendant requests disclosure of any relevant written or recorded statement by Defendant, the portion of any written record containing the substance of any relevant oral statement made before or after

arrest if Defendant made the statement in response to interrogation by a person Defendant who was a government agent; as well as Defendant's recorded testimony before a grand jury relating to the charged offense if and in the event such testimony exists.

4. Pursuant to Rule 16(a)(1)(D), of the Federal Rules of Criminal Procedure, Defendant requests a copy of his prior criminal record that is within the government's possession, custody or control.

5. Pursuant to Rule 16(a)(1)(E) of the Federal Rules of Criminal Procedure, Defendant requests permission to inspect and to copy or photograph books, papers, documents, data, photographs, tangible objects, buildings or places that are within the government's possession, custody or control and that meet the requirements set forth in the rule; including but not limited to, the full disclosure of all Title III intercepted conversations of the Defendant, including full identity of each participant which counsel contends are "items" "obtained from . . . the defendant", pursuant to Rule 16(E)(iii).

The defendant further requests copies of all Applications, Affidavits, Reports, and Orders (including extensions and unsealing orders) pertaining to any and all Title III wire interceptions; as well as any and all Affidavits, Search Warrants and Returns pertaining to this investigation.

6. Pursuant to 16(a)(1)(F) of the Federal Rules of Criminal Procedure,

Defendant requests permission to inspect and to copy or photograph the results or reports of any physical or mental examination and of any scientific test or experiment that is within the government's possession, custody or control, and that meet the requirements set forth in the rule.

7. Demand for preservation of Agents Notes is hereby made includes to avoid any question of spoliation and/or the timeliness of Defendant's requests to avoid spoliation.

Respectfully submitted,

JAMES C. THOMAS, P.C.

By: /s/ James C. Thomas
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DATED: June 11, 2021

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2021, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing all parties of record.

/s/ Alida Andrianos
Alida Andrianos
Paralegal to James C. Thomas